

REMARKSAmendments

Applicant thanks Supervisory Primary Examiner John LeGuyader and Examiner Janet Epps for the telephone interview granted to Applicant's attorneys on July 2, 15, and 16, 2003 regarding certain potential patentability issues (not of record) of the pending claims, which the Examiner had requested Applicant's attorneys to consider during the interviews. The Examiners communicated that the pending claims were free and clear of prior art.

Claim 260 is amended by adding the phrase "wherein said oligonucleotide is antisense to a gene encoding an adenosine receptor associated with bronchoconstriction" and the specific receptors listed in claim 275. Support for this amendment is found, for example, in page 10, lines 15-16. Also, the 10% limitation on adenosine has been returned to 15% and the 10% limitation has been placed to claim 262.

Claims 260 and 276 are amended by deleting "a nucleic acid that comprises".

Claims 262 is amended by inserting the correctly spelled "bronchoconstriction, and deleting "cystic fibrosis" before the percent figure and adding "or less" after it. This amendment is to clarify the language so the claims are more definite within the meaning of 35 U.S.C. § 112, second paragraph.

Claims 260 and 262-276 are pending. Applicant respectfully contends that the amendments will place the application in condition for allowance. No new matter is added in any of the above amendments and the Examiner is respectfully requested to enter the amendments and reconsider the application.

Claim 268 has been amended to be consistent with claim 260, as now amended.

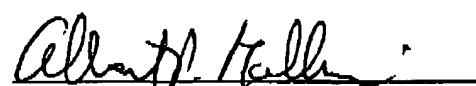
During the interviews former claim 173 was discussed and in particular, the fact that it had been allowed in an Advisory Action dated April 25, 2001 (Paper No. 30). It was agreed that a comparable claim could be placed in one or more pending applications of the Applicant.

CONCLUSION

In view of the foregoing amendment and remarks, the Applicant believes that the application is in good and proper condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned at (650) 463-8109.

Respectfully submitted,

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